

PATENT
Docket No. 342312000920

1c873 U.S. PTO
09/641396
08/17/00

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231, on June 22, 1999.

DJ Macedo
Donna J. Macedo

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*11/Prior
Art & Art*

In the application of:

Gordeev et al.

Serial No.: ~~09/235,771~~ *09/641396*

Filing Date: January 22, 1999

For: OXAZOLIDINONE COMBINATORIAL
LIBRARIES, COMPOSITIONS AND
METHODS OF PREPARATION

Examiner: Not Yet Assigned

Group Art Unit: ~~1614~~ *1639*

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of documents numbered 1 through 140, inclusive, were previously submitted in an Information Disclosure Statement dated September 29, 1998, directed to the related application Serial Number 09/087,702 and accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R. § 1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

- ☒ Within three months of the application filing date or before receipt of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of 0 is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After receipt of a final Office Action or Notice of Allowance, but before payment of the issue fee. Accordingly, a Petition requesting consideration of the Information Disclosure Statement, an authorization to charge our deposit account, and a Certification under 37 C.F.R. § 1.97(e) are provided herein.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.


This Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this

document to Deposit Account No. 03-1952 referencing 342312000920. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: June²¹, 1999

Respectfully submitted,

By: 
Madeline I. Johnston
Registration No. 36,174

Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5840
Facsimile: (650) 494-0792

CERTIFICATE OF MAILING (37 CFR 1.8)

Date of Deposit with U.S. Postal Service: _____

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington D.C. 20231.

Name of Person Mailing Paper_____
Signature**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Art Unit :
Examiner :
Applicant(s) : MF Gordeev, GW Luehr, DV Patel, Z-J Ni, and E Gordon
Serial No. :
Filed :
For : Oxazolidinone Combinatorial Libraries, Compositions and Methods of Preparation

Commissioner of Patents and Trademarks
Washington, DC 20231

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL
UNDER 37 CFR 1.97 AND 1.98**

Sir:

Information Disclosed. The information disclosed consists of the following:

- ☐ **Form PL-1449.** Provided herewith are copies of patent(s) and/or publication(s) as listed in the attached form PL-1449.
- ☐ At least to the extent required under §1.98(a)(3), a concise explanation of the relevance of references listed in form PL-1449 is:
- ☐ contained in the above-captioned specification as filed;
 - ☐ provided in a communication enclosed with this paper;
 - ☐ provided in the International Search Report enclosed with this paper; and/or
 - ☐ not necessary as all of the references cited are in the English language.



- ☒ ***Disclosure from Predecessor Application.*** Provided herewith is a copy (or the copy is already present in the present file wrapper in accordance with §1.53(d)) of one or more forms PL-1449 and/or search/examination reports of record in this or a predecessor application, Serial No. 09/235,771 filed 1/22/99, the benefit of which is claimed under 35 USC 120. Copies of references are present in the prosecution history of the referenced application and are not supplied herewith pursuant to §1.98(d).

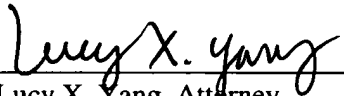
Basis for Consideration. This information disclosure statement is entitled to consideration by the Office under:

- ☒ **§1.97(b)**, as being filed within three months of the filing date of the above-captioned application and/or the date of entry of the National Stage, if later, and/or before the mailing date of the first Office action on the merits. Applicant(s) is/are unaware that any office action has issued in this case. However, in the event a first office action has issued, prior to the mailing of this document, then authorization is given to charge the late fee to the deposit account identified below.
- ☐ **§1.97(c)**, as being filed after the period specified in §1.97(b), but before the mailing date of a final action under §1.113 and/or the notice of allowance under §1.311. Consideration of this information disclosure statement at this time is requested for the reason checked below:
- ☐ **Authorization is hereby provided to charge Deposit Account No. 21-0718 the fee set forth in §1.17(p), \$240.00**, or such greater or lesser amount as the Commissioner may from time to time prescribe by rule. Triplicate copies of this paper are provided to facilitate the charge to the Deposit Account.
- ☐ A statement as specified in 37 CFR 1.97(e) below.
- ☐ **§1.97(d)**, as being filed after the period specified in §1.97(c), but on or before payment of the issue fee and is accompanied by:
- ☐ **Authorization to charge Deposit Account No. 21-0718 the fee set forth in §1.17(i), \$130.00**, or such greater or lesser amount as the Commissioner may from time to time prescribe by rule. Triplicate copies of this paper are provided to facilitate the charge to the Deposit Account.
- ☐ A petition requesting consideration of the information disclosure statement; and
- ☐ A statement as specified in 37 CFR 1.97 (e) below.
- ☐ **§1.97(e)**, this is a **supplemental information disclosure statement**. A prior information disclosure statement has already been filed. Applicant certifies, as provided in 37 CFR 1.97 (e), that

- ☐ Each new item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this statement.
- ☐ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing below, after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement.

Disclaimer. In accordance with §1.97(g) and (h), the filing of this information disclosure statement is not to be construed as an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56, and is not to be construed as a representation that a search has been made.

Respectfully submitted,


Lucy X. Yang, Attorney
Registration No. 40,259

Date: 8-17-2000

Pharmacia & Upjohn Company
Global Intellectual Property
301 Henrietta Street
Kalamazoo, Michigan 49001

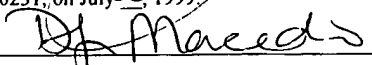
Telephone No. (616) 833-9536 or (616) 833-9500
Telefax No. (616) 833-8897 or (616) 833-2316

Attachment(s)

- ☐ Form 1449 with copies of reference(s)
☒ Form 1449 from predecessor application (no references)
☐ Communication providing concise explanation of relevance
☒ International Search Report

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231, on July 30, 1999.


Donna J. Macedo

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Mikhail F. GORDEEV, et al.

Serial No.: 09/235,771

Filing Date: January 22, 1999

For: OXAZOLIDINONE COMBINATORIAL
LIBRARIES, COMPOSITIONS AND
METHODS OF PREPARATION

Examiner: Not Yet Assigned

Group Art Unit: 1614

SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

The documents listed on the attached Form PTO-1449 were cited in a Search Report (copy attached) directed to a counterpart international or foreign application. The patents WO 97/30981, US 4,801,600, WO 94/13649, EP 0 127 902, EP 0 184 170, EP 0 316 594, EP 0 359 418, EP 0 694 543, EP 0 693 491, and DE 196 04 223, listed on the International Search Report, are not included on the Form PTO-1449 because copies of these patents or its patent family member were previously submitted in an Information Disclosure Statement and/or Office Action for this application Serial Number 09/235,771.

This Information Disclosure Statement is submitted:

- ☒ Within three months of the application filing date or before receipt of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of * is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- ☐ After receipt of a final Office Action or Notice of Allowance, but before payment of the issue fee. Accordingly, a Petition requesting consideration of the Information Disclosure Statement, an authorization to charge our deposit account, and a Certification under 37 C.F.R. § 1.97(e) are provided herein.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

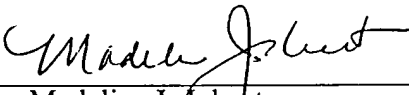
This Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information,

protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 342312000920. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: July 29, 1999

Respectfully submitted,

By: 

Madeline I. Johnston
Registration No. 36,174

Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5840
Facsimile: (650) 494-0792